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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,952	02/21/2002	Samir Khazaka	010301	6579

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EXAMINER

ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,952

Applicant(s)

KHAZAKA, SAMIR

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-20, 22-35 and 37-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 16, 31, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura et al (US Patent 6,189,056), hereinafter Ogura, and Naughton et al (US Patent 6,020,881), hereinafter Naughton.

Ogura teaches downloading an application from a host device to a communication device, and providing a user interface for the application only on the host device, taught as the transfer of data to an "IBM ChipCard VW-200", that is used as a memory card when connected to a PC, and behaves as a PDA when it is removed from the PC's card slot, at col. 2, lines 29-41.

However, Ogura fails to explicitly teach providing a user interface for the application only on the host device, and executing the application on the communications device

Naughton teaches a graphical user interface (GUI) for the control of networked devices, including "intelligent devices" similar to the ChipCard of Ogura. Furthermore, Naughton teaches providing a user interface for an application only on the host device (see col. 17, lines 11-42), and executing the application on the communications device (col. 9, lines 10-17).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Ogura and Naughton before him to modify the system of Ogura to include the networked device control of Naughton.

One would have been motivated to make such a combination for the advantage of controlling a remote device from a central user interface to provide an intuitive and simple system for such control. See Naughton, col. 1, lines 11-16.

Claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-54, and 56-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and U.S. Patent Application Publication 2001/0041973 (Abkowitz et al).

Referring to claims 2, 17, 32, and 47, Ogura and Naughton disclose the method and apparatus of claims 1, 16, 31, and 46 as explained above but fails to disclose providing a device display area in conjunction with said user interface. Abkowitz, however, discloses in Figure 1 a user interface [100] provided by a management device, which comprises a device display area [120] pertaining to an associated communication device. Abkowitz further explains in paragraphs 14 and 15 that his invention allows users to more conveniently view and change how information will be displayed on communication devices with limited or different display capabilities. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Abkowitz's device display area with the host user interface of Ogura and Naughton because the combination would have advantageously allowed users to view and modify how an application would have been displayed on a communication device with limited or different display capabilities.

Referring to claims 3, 18, 33, and 48, Abkowitz discloses in paragraph 31 that the device display area [120] is provided in a frame [130] of a web page [100]. Said web page is inherently displayed on display [712] of the management device [700] in Figure 7.

Referring to claims 4, 19, 34, and 49, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 5, 20, 35, and 50, Abkowitz discloses in Figure 5 that a graphics display area [550] is provided within said device display area [520].

Referring to claims 7, 22, 37, and 51, Abkowitz discloses in Figure 5 and further explains in paragraph 46 that output of an executing application is routed to the graphics display area [550].

Referring to claims 8, 23, 38, and 52, Abkowitz discloses in Figure 1 that the device display area [120] corresponds in appearance to a mobile communication device.

Referring to claims 9, 24, 39, and 53, Abkowitz discloses in paragraph 45 that the user can configure the display capabilities of the graphics display area.

Referring to claims 10, 25, 40, and 54, Abkowitz discloses in Figure 5 that a user interface area [550] is provided within said device display area [520].

Referring to claims 12, 27, 42, and 56, Abkowitz discloses in Figure 1 that the user input display area corresponds in appearance to a mobile communication device.

Referring to claims 13, 28, 43, and 57, Abkowitz discloses in paragraph 45 that the user can configure the layout of the user input area.

Referring to claims 14, 29, 44, and 58, Abkowitz discloses in paragraph 46 that the device display area is configured to mirror the display of said communication device.

Referring to claims 15, 30, 45, and 59, Abkowitz discloses in paragraph 46 that the device display area is configured to mirror the actions of said communication device.

Claims 11, 26, 41, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogura, Naughton, and Abkowitz, as applied to claims 10, 25, 40, and 54 above, and further in view of Paroz (US Patent 6,587,125).

Ogura, Naughton and Abkowitz disclose the method and apparatus of claims 10, 25, 40, and 54 as explained above, but fail to disclose routing user input provided in the user input area to said communication device. Paroz, however, discloses in col. 3, lines 48-67 and col. 4, lines 1-2 a method and apparatus for controlling a first computing device from a second computing device wherein a user interface is generated on the second computing device that is logically equivalent to the user interface on the first computing device. The equivalent user interface then enables control of the first computing device in an intuitive manner by routing user input from the second computing device to the first computing device. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to route user input from a host device to a communication device as taught by Paroz in combination with the teachings of Ogura, Naughton and Abkowitz because it would have been beneficial to interact with the communication device using an equivalent but more accessible interface.

Response to Arguments

Applicant's arguments with respect to claims 1-5, 7-20, 22-35, and 37-59 have been considered but are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (571) 272-4055. The examiner can normally be reached on 8:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell
7/21/2006


TADESSE HAILU
Patent Examiner